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HOUSE BILL 1321

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

TIMOTHY E. MACKO

AN ACT

RELATING TO EDUCATION; ADDRESSING THE TEACHING OF VARIOUS
THEORIES OF BIOLOGIC ORIGINS IN PUBLIC SCHOOLS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public School Code is
enacted to read:

"[NEW MATERIAL] LEGISLATIVE FINDINGS--TEACHING OF VARIOUS
THEORIES OF BIOLOGIC ORIGINS.--

A. The legislature finds that:

(1) science is a special way of knowing and
understanding the physical world that uses the "scientific
method" to conduct rigorous investigations into processes that
are observable and repeatable;

(2) science is a discipline that employs
skeptical peer review and experiments attempting to falsify

1 ongoing and prior scientific work to ensure the validity and
2 integrity of results;

3 (3) historic processes such as the origin of
4 the physical universe and biologic life were not observed and
5 have not been repeated;

6 (4) theories of biologic origins vary widely in
7 proof, evidences and belief;

8 (5) the theory of evolution posits a pre-biotic
9 soup from which biologic life emanated, postulates that all life
10 emanated from a common ancestor and requires transitional forms
11 as evidence of macro-evolution between species forms;

12 (6) no extant fossil evidence exists for this
13 pre-biotic soup, no fossil or any other evidence exists for this
14 common ancestor and noted evolutionists have described the
15 extreme scarcity of transitional forms as the "trade secret of
16 paleontology";

17 (7) the accepted evolutionary explanation for
18 macro-evolution leading to transitional forms is beneficial
19 mutation, yet the observation of beneficial mutations is so rare
20 that they cannot be the source of transitional forms;

21 (8) a proposed evolutionary explanation for the
22 transition between reptiles and feathered birds is the mutation
23 of scales, yet the genetic structure of scales and feathers are
24 so different that scales are not the likely source of feathers;

25 (9) the proposed mechanism for relating macro-

1 mutations between species at the genetic level is equivalence of
2 protein composition separation between different representatives
3 of those species, yet no such evidence of equivalence of
4 separation in protein sequences exists in any known species;

5 (10) noted evolutionary biologists observe that
6 in order for the theory of evolution to be correct, there must
7 be evidence of progression within species from one form to
8 another and there must be evidence of transition to other forms,
9 yet all observations indicate that species exist in very stable
10 stasis with no proclivity toward change or evolution into
11 another species;

12 (11) the structure of genetic change is
13 transferred through DNA proteins, yet DNA structure is
14 specifically designed to be robust toward change;

15 (12) the theory of evolution requires
16 transformation from bacteria to complex cells as well as a
17 suitable explanation for the production of complex order from
18 randomness, yet no mechanism for these transitions is observed,
19 recorded or evident in the fossil record and no causal mechanism
20 to explain the extremely unlikely thermodynamic processes
21 necessary to produce even a single gene has been advanced;

22 (13) probability theory shows that even the
23 simplest life is extraordinarily complex and unlikely to have
24 arisen from random action, time and chance, and modern
25 information theory shows that random chance cannot produce the

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1 order necessary to generate thousands of highly ordered genetic
2 structures from any number of probable steps in any amount of
3 cosmological time;

4 (14) it is the policy of the state of New
5 Mexico to enhance the self-esteem of students in the classroom,
6 yet the teaching of a theory that indicates that children
7 evolved in a meaningless manner through highly improbable random
8 fluctuations in a pre-biotic soup can result in a particularly
9 negative impact on a student's self-esteem; and

10 (15) because of these conflicts, and because of
11 the availability of various theories of biologic origins, the
12 legislature affirms and agrees with the position of the state
13 board that various theories of biologic origins be taught in the
14 public school system.

15 B. In determining public school curriculum policy or
16 prescribing courses of instruction for public schools, the state
17 board shall adopt curriculum standards that teach various
18 theories of biologic origins in the public school system."